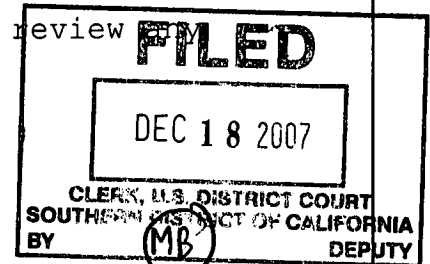


DECLARATION OF PAULA M. JARNECKE

I, Paula M. Jarnecke, hereby declare and state the following:

1. I am employed by the Federal Bureau of Prisons (BOP) as the Warden at the Metropolitan Correctional Center, in San Diego, California (MCC San Diego). I have worked for the BOP for over 21 years and have been the Warden at MCC San Diego since August 2006. As the Warden, I am the Chief Executive Officer of the institution and responsible for the overall operation of the facility. As part of my official duties, I have access to records maintained in the ordinary course of business by the BOP.
2. I have been advised that Miguel Rosas-Leon, Register Number 17098-198, through Advisory Counsel, Federal Defenders, has requested a status hearing to address an issue involving unmonitored telephone calls. Mr. Rosas-Leon is representing himself in his criminal case but has been appointed Federal Defenders as advisory counsel. Mr. Rosas-Leon has requested unmonitored telephone calls so he can speak to witnesses. That request was denied.
3. MCC San Diego provides inmates in pro se status certain privileges that are not ordinarily afforded to inmates represented by counsel. Specifically, in Mr. Rosas-Leon's case, he has been provided greater access to the inmate law library and use of the inmate computer to review



- 1 electronic discovery. Additionally, staff have been
2 instructed to provide Mr. Rosas-Leon with unmonitored
3 telephone calls to his advisory counsel. Federal Bureau of
4 Prisons policy only affords inmates unmonitored legal calls
5 to their attorneys. See C.F.R. §§ 540.102-103. Mr. Rosas-
6 Leon may also choose to place a witness on his telephone
7 list to call that person via the Inmate Telephone System.
8 He can make both direct and/or collect calls via the Inmate
9 Telephone System. However, I have been informed that
10 advisory counsel objects to placing individuals on the
11 inmate's telephone list because it would require the inmate
12 to pay for the telephone calls. Counsel was informed that
13 there is no mechanism or procedure for permitting free
14 telephone calls on the system utilized by the inmates.
15
16 4. At the present time, Mr. Rosas-Leon has \$0.54 on his inmate
17 trust fund account. He has spent \$2.00 on telephone credits
18 and \$64.46 in the commissary. Attached are true and correct
19 copies of the deposits made to his account and a receipt
20 reflecting purchases made from the commissary.
21
22 5. As stated above, policy only permits unmonitored telephone
23 calls to legal counsel. Permitting inmates to make
24 unmonitored calls to other individuals would violate policy,
25 and would be detrimental to the safe and secure operation
26
27
28

1 of the institution.

2
3 I declare under penalty of perjury in accordance with the
4 provisions of 28 U.S.C. § 1746 that the above is accurate to the
5 best of my knowledge and belief.
6

7
8 

9 Paula M. Jarnecke
10 Warden
MCC San Diego

12-18-07
Date

Deposits



Inmate Reg #: 17098198
Inmate Name: ROSAS-LEON, MIGUEL
Report Date: 12/18/2007
Report Time: 6:58:05 AM

Current Institution: San Diego MCC
Housing Unit: SDC-J-A
Living Quarters: J01-002U

<u>Date/Time</u>	<u>User Id</u>	<u>Transaction Type</u>	<u>Amount</u>	<u>Ref#</u>	<u>Payment#</u>	<u>Balance</u>
11/1/2007 8:55:10 PM	TP_PHONE	Phone Withdrawal	(\$2.00)	TFN1101		\$0.54
10/26/2007 9:36:00 AM	SDC1008	<u>Sales</u>	(\$64.46)	6		\$2.54
10/22/2007 8:32:57 AM	SDC8259	Local Collections	\$67.00	C0-13-08		\$67.00

SALES INVOICE ---S.B.U.---

SAN DIEGO MCC

MAIN

ACCOUNT No.17098198

SDC1008

ROSAS-LEON, MIGUEL

10/26/07 Time 09:36:00

TX ID 705892

Receipt# 6

BEGINNING BALANCES:

Available Balance is N/A

Spending Limit Balance is N/A

Account Balance is \$67.00

QTY	DESCRIPTION	PRICE
1	ACRYLIC MIRROR/W. MAGNET	\$2.35
1	BATTERIES PCAA	\$2.20
1	DORITOS	\$2.90
1	HONEY	\$2.70
2	HOT PORK RINDS	\$1.60
2	INST. CUP/SOUP SHRIMP	\$1.00
3	INSTANT LUNCH CHICK	\$1.50
2	INSTANT LUNCH VEGGIE	\$1.00
1	IRISH SPR SOAP 5 OZ	\$0.85
1	JALAPENO CHEESE	\$1.85
1	MAYO	\$0.80
1	NEXT1 SHAMPOO&COND	\$1.65
1	PALM BRUSH	\$0.45
1	POWER^UP FOR MEN	\$2.40
1	REFRIED BEANS W/JAL GREEN CHIL	\$0.95
1	SALAMI BEEF 3OZ	\$1.25
1	SHOWER SHOES MEDIUM	\$3.15
6	SINGLE STAMPS .41	\$2.46
1	SOAP DISH 2PC UPC	\$0.65
1	SONY SRF39 AM/FM RADIO	\$22.10
1	SOY SAUCE 6 OZ	\$1.00
1	SUGAR CUBES	\$2.10
1	TASTER'S CHOICE 8 OZ	\$7.55
	# ITEMS SOLD: 33	
	CHARGE 17098198	\$64.46

ENDING BALANCES:

Available Balance is N/A

Spending Limit Balance is N/A

Account Balance is \$2.54

Signature